

**JUDGE BUCHWALD**

AO 440 (Rev. 8/01) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

Southern

District of

New York

HIGHLAND PARK CDO I GRANTOR TRUST,  
SERIES A**SUMMONS IN A CIVIL ACTION**

V.

MATTHEW STUDER, FRED GRAFT, ERNIE  
MALAS, and PETER CORATOLA,

CASE NUMBER: 08 CV

**08 CV 01670**

TO: (Name and address of Defendant)

Matthew Studer  
 4130 Daventry Road  
 Columbus, OH 43220

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael Stolper  
 Orrick, Herrington & Sutcliffe LLP  
 666 Fifth Avenue  
 New York, NY 10103  
 212-506-5000

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

FEB 20 2008

**J. MICHAEL McMAHON**

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

## RETURN OF SERVICE

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	February 22, 2008
NAME OF SERVER (PRINT) Robinson Howard	TITLE	Law Clerk

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served:
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
- Name of person with whom the summons and complaint were left:
- Returned unexecuted:

 Other (specify): See Attached

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
		\$0.00

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 2/26/2008  
Date

Signature of Server

M. T.
Manhattan, New York  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

ORRICK, HERRINGTON & SUTCLIFFE LLP  
666 Fifth Avenue  
New York, New York 10103  
Telephone: (212) 506-5000  
Facsimile: (212) 506-5151

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

HIGHLAND PARK CDO I GRANTOR  
TRUST, SERIES A

08 Civ. 01670 (NRB)(JCF)

Plaintiff,

v.

MATTHEW STUDER, FRED GRAFT, ERNIE  
MALAS, and PETER CORATOLA,

Defendants.

STATE OF NEW YORK )  
: ss.:  
COUNTY OF NEW YORK )

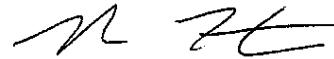
Robinson Howard, being duly sworn, deposes and says:

1. I am over the age of 18 years and am not a party to this action, and am employed by Orrick, Herrington & Sutcliffe LLP.
2. On the 22nd day of February, 2008, I served by Certified Mail, Return Receipt Requested, a true copy of the Summons In A Civil Action, Complaint, Civil Cover Sheet, Rule 7.1 Statement, Individual Practice Rules of Judge Buchwald and Magistrate Judge Francis and Guidelines and Procedures for Electronic Case Filing upon the following:

Matthew Studer  
4130 Daventry Road  
Columbus, OH 43220

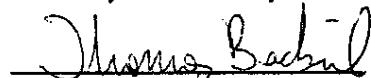
by placing the same in a sealed envelope postage prepaid, addressed to the above in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

3. Pursuant to the contract, attached as Exhibit C to the Complaint, Defendant Matthew Studer consents to service by Certified Mail. A copy of the Certified Mail Receipt is attached to this Affidavit of Service.



\_\_\_\_\_  
Robinson Howard

Sworn to before me this  
26th day of February, 2008



Notary Public

THOMAS BACKIEL  
Notary Public, State of New York  
No. 01BA6083754  
Qualified in Queens County  
Commission Expires Nov. 25, 2010

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0710	Restricted Delivery Fee (Endorsement Required)
0707	Total Postage & Fees \$ 10.10

Postmark  
Here  
8/22/06  
NEW YORK, NY

Sent to	Matthew Struber Street, Apt. No.: 4130 Davenport Road or PO Box No. City, State, ZIP+4 Columbus OH 43220
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PS Form 3800, August 2006 See Reverse for Instructions

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- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047